

1 STEVEN T. JAFFE, ESQ.

2 Nevada Bar No. 7035

3 sjaffe@lawhjc.com

4 ASHLIE L. SURUR, ESQ.

5 Nevada Bar No. 11290

6 asurur@lawhjc.com

7 **HALL JAFFE & CLAYTON, LLP**

8 7425 PEAK DRIVE

9 LAS VEGAS, NEVADA 89128

10 (702) 316-4111

11 FAX (702)316-4114

12 *Attorney for Defendants*

13 *Richard T. Warner, Jr. and Western Express Inc.*

14 **UNITED STATES DISTRICT COURT**

15 **DISTRICT OF NEVADA**

16 TRACY NICHOLE TEOFRO, |

17 CASE NO.: 2:15-cv-01747-JAD-GWF

18 Plaintiff,

19 vs.

20 RICHARD T. WARNER, JR.; WESTERN |
21 EXPRESS, INC., NAVISTAR LEASING |
22 SERVICES CORPORATION; DOES I |
23 through XX, inclusive and ROE BUSINESS |
24 ENTITIES I through XX, inclusive,

25 Defendants.

26 **STIPULATION TO EXTEND TIME TO FILE REPLY AND TO CONTINUE HEARING ON**
MOTION TO STRIKE [ECF NO. 38]

27 (First Request)

28 Pursuant to Local Rules (“LR”) IA 6-1, Defendants, Richard T. Warner, Jr. (“Warner”) and
Western Express, Inc. (“Western Express”), and Plaintiff, Tracy Nichole Teofrio (“Teofrio”), by and
through their respective attorneys, stipulate as follows:

29 1. On October 10, 2017, Warner and Western Express filed their Motion to Strike Plaintiff’s
30 Experts [ECF No. 38] (the “Motion”).

31 2. The court scheduled the hearing on the Motion for Monday, November 6, 2017 at 9:30
32 a.m. *See* ECF No. 39.

33 3. Plaintiff opposed the Motion on October 24, 2017 [ECF No. 40], making replies due

1 October 31, 2017.

2 4. The parties now stipulate to extend the time for Warner and Western Express to file their
3 reply brief to Friday, November 3, 2017.

4 5. The parties also stipulate to continue the hearing on the Motion to December 1, 2017, at
5 9:30 a.m. in Courtroom 3A..

6 6. The extension and continuance are necessary because on October 1, 2017, counsel for
7 Warner and Western, Ms. Surur, tragically and unexpectedly lost a very close family member and was,
8 therefore, out of the office from October 1, 2017 through October 26, 2017. Ms. Surur and lead counsel
9 for Warner and Western, Mr. Jaffe, were scheduled to begin a three-week jury trial in another matter on
10 October 23, 2017. This unexpected event required Mr. Jaffe to prepare for and try the case without Ms.
11 Surur. Mr. Jaffe remains in trial through November 6, 2017 and while Ms. Surur has returned to the
12 office, she requires additional time to prepare the reply brief. In addition, Mr. Jaffe will argue the
13 Motion and is not available on November 6, 2017, because he will be in trial. Plaintiff's counsel
14 extended the professional courtesy of stipulating to a brief extension of the reply deadline and to
15 continuing the hearing.

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1 7. There is excusable neglect for submitting this stipulation after the October 31,
2 2017 deadline to file replies. Defense counsel first reached out to Plaintiff's counsel by email on
3 October 26, 2017, but counsel was unable to connect because Plaintiff's counsel was handling another
4 matter. Counsel spoke on October 30, 2017 and reached this stipulation, but were unable to agree upon
5 a hearing date that worked for all counsel and the court until November 1, 2017. Counsel submitted this
6 stipulation as soon as the new hearing date was obtained.

7 DATED: November 3, 2017.

8 HALL JAFFE & CLAYTON, LLP

9 By: /s/ Ashlie Surur
10 Steven T. Jaffe, Esq. (Nevada Bar No. 7035)
11 Ashlie L. Surur, Esq. (Nevada Bar No. 11290)
12 7425 Peak Drive
13 Las Vegas, Nevada 89128
14 Attorney for Defendants
15 Richard T. Warner, Jr. and Western Express Inc.

7 DATED: November 3, 2017.

8 LADAH LAW FIRM

9 By: /s/ Ramzy Lada
10 Ramzy P. Lada, Esq. (Nevada Bar No. 11405)
11 517 S. Third Street
12 Las Vegas, Nevada 89101
13 Attorneys for Plaintiff

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15 **ORDER**

16 IT IS SO ORDERED

17 DATED: 11/03/2017

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19 UNITED STATES MAGISTRATE JUDGE